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11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**

13  
14 **United States of America,**

15 Plaintiff,

16 v.

17 **Valerian Chiochiu (#12), et al.,**

18 Defendants.

19 Case No. 2:17-cr-306-JCM-PAL

20 **Government's Unopposed Motion to**  
21 **Dismiss Petition Seeking Revoca-**  
22 **tion of Defendant's Pretrial Release**  
23 **and to Vacate Revocation Hearing**

24  
25 The United States of America, by and through DAVID L. JAFFE, Chief, Or-  
26 ganized Crime and Gang Section, United States Department of Justice, and CHAD  
27 W. MCHENRY, Trial Attorney, respectfully requests that this Court dismiss the  
28 pending petition seeking revocation of the Defendant's pretrial release, and vacate  
29 the pretrial revocation hearing that is currently scheduled before the Court for Mon-  
30 day, April 1, 2019, at 11:00 AM.

1        In support of its motion, the Government proffers as follows:

2        1.        On March 28, 2018, this Court released the Defendant, who had previ-  
3        ously been arrested pursuant to an Indictment returned by a federal grand jury  
4        seated in the District of Nevada subject to certain conditions of release. ECF Nos.  
5        301, 358.

6        2.        On November 1, 2018, this Court authorized the issuance of a warrant  
7        of arrest based on a petition alleging the Defendant's violation of his conditions of  
8        pretrial release. ECF No. 438.

9        3.        As part of an ongoing criminal investigation in the above-captioned  
10        criminal case, federal agents with Homeland Security Investigations ("HSI") exe-  
11        cuted a search warrant on the Defendant's residence, located in the Central District  
12        of California, and arrested the Defendant pursuant to the November 1 warrant.

13        4.        The magistrate judge in the Central District of California released the  
14        Defendant pursuant to additional conditions of release. ECF No. 440.

15        5.        Since that time, the Defendant, though his counsel, has been in con-  
16        sistent contact with the Government, and the Government understands from a dis-  
17        cussion with pretrial services that the Defendant has been in compliance with his  
18        conditions of release with no further issues.

19        6.        Given the Defendant's success at complying with his conditions and his  
20        consistent contact with the Government since the violations, at this time the Gov-  
21        ernment is no longer seeking to have his pretrial release revoked.

7. The Government discussed the matter with United States Pretrial Services Officer Kelly Bowen, the Defendant's supervising officer, and she has indicated no objection to the petition for revocation being dismissed.

For these reasons, the Government would respectfully move the Court to dismiss the pending petition for revocation of the Defendant's pretrial release, and to vacate the revocation hearing currently set before the Court on Monday, April 1, 2019, at 11:00 AM. The Defendant does not oppose this request.

**DATED** this 25th day of March, 2019.

Respectfully submitted,

DAVID L. JAFFE  
Chief, Organized Crime and Gang Section  
United States Department of Justice

/ s / *Chad McHenry*

CHAD W. MCHENRY  
Trial Attorney

## ORDER

Having considered the Government's proffer, and good cause appearing:

IT IS HEREBY ORDERED that the petition seeking revocation of the Defendant's pretrial release, ECF Nos. 438, 440, and 463, is hereby DISMISSED, and the Defendant is CONTINUED on his present conditions of release.

IT IS FURTHER ORDERED that the revocation hearing, currently set before this Court on Monday, April 1, 2019, at 11:00 AM, is VACATED.

Carl Gaddis

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Hon. Cam Ferenbach  
United States Magistrate Judge  
District of Nevada

March 25, 2019